

Practitioner's Docket No. 159 1010

3

DATC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Int'l application of: Beiswenger, et al.

Application No.: 10/080,746

Group No.: 2182

Filed: February 22, 2002

Examiner: Not Assigned

For: Early Warning System and Methods for Detection of a Bioterrorist Event

RECEIVED

MAY 14 2003

Commissioner for Patents
Washington, D.C. 20231

OFFICE OF PETITIONS

**PETITION TO REVIVE APPLICATION ABANDONED FOR FAILURE TO
NOTIFY OFFICE OF FOREIGN FILING
(37 C.F.R. § 1.137(f))**

1. This application was filed initially with a request for nonpublication because there was no intention at that time to file an application for the subject matter of this invention in a foreign country or under a multinational treaty which requires publication of the application eighteen months after the filing.
2. On February 22, 2003 an international application for the subject matter of this invention was filed under the Patent Cooperation Treaty.
3. No notification of this foreign filing within the 45 day period required by 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(c) has been made.
4. Applicant hereby petitions, in accordance with 37 C.F.R. § 1.137(f) for the revival of this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

X with sufficient postage as first class mail.

G as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Diana Ogle

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

5. Applicant declares that the entire delay from the due date for notifying the Office of the foreign filing until the filing of this petition was unintentional.

6. Outstanding matters for this application:

None

7. Payment of petition fee:

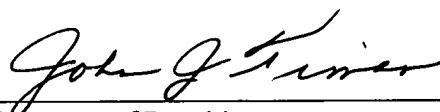
The petition fee of \$620.00 under § 1.17(m) (small entity (§ 1.27(a))) is paid as follows:

The Commissioner is hereby authorized to charge \$620.00 to deposit account no. 09-0528.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to account no. 09-0528.

A duplicate of this paper is attached.

Date: 5/9/03



Signature of Practitioner

Reg. No.: 32,497
Tel. No.: 404-888-7349
Customer No.: 26158

John J. Timar
Womble Carlyle Sandridge & Rice, PLLC
P.O. Box 7037
Atlanta, GA 30357-0037

RECEIVED

MAY 14 2003

OFFICE OF PETITIONS